

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Rev. Jan. 2012

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**Accantia Group Holdings, et al.,**

Plaintiff(s),

- against -

**Food Market Merchandising, Inc.**

Defendant(s).  
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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 7/18/13

**NOTICE OF INITIAL  
COURT CONFERENCE**

12 Civ. 5042 (ER)

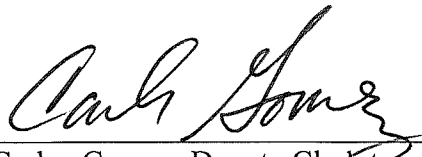
**THIS MATTER HAS BEEN SCHEDULED FOR AN INITIAL CASE  
MANAGEMENT AND SCHEDULING CONFERENCE**, pursuant to Fed. R. Civ. P. 16, **on  
July 30, 2013 at 9:30 am**, at the United States Courthouse, 40 Foley Square, Courtroom 619, New  
York, New York 10007.

**PLAINTIFF, OR COUNSEL FOR PLAINTIFF(S) SHALL NOTIFY ALL PARTIES  
IN WRITING AND PROVIDE ALL PARTIES WITH A COPY OF THIS NOTICE AND  
THE ATTACHED CIVIL CASE DISCOVERY PLAN AND SCHEDULING ORDER,  
UNLESS THE CASE HAS BEEN REMOVED FROM STATE COURT, IN WHICH  
EVENT COUNSEL FOR THE REMOVING DEFENDANT(S) SHALL PROVIDE SUCH  
NOTICE TO ALL PARTIES.**

At the conference, counsel will be expected to provide a brief oral status report outlining the nature of the dispute(s) requiring adjudication and setting forth the factual and legal bases for the claims and defenses. Subject matter jurisdiction will be considered, as well as all matters related to case management.

In cases where Fed. R. Civ. P. 26(f) applies, counsel shall confer at least twenty-one (21) days prior to the conference date and attempt in good faith to agree upon a proposed discovery plan that will ensure trial readiness within six (6) months of the conference date. Please complete the attached Civil Case Discovery Plan and Scheduling Order and bring it to the conference. After hearing from counsel, the Court will consider whether to grant a longer period only for good cause shown.

Dated: New York, NY  
July 18, 2013

  
\_\_\_\_\_  
Carlos Gomez, Deputy Clerk to  
Hon. Edgardo Ramos, U.S.D.J.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Rev. Jan. 2012

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**CIVIL CASE DISCOVERY PLAN  
AND SCHEDULING ORDER**

Plaintiff(s),  
- against -

Defendant(s). \_\_\_\_\_ CV \_\_\_\_\_ (ER)

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This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties [consent] [do not consent] to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed.)

2. This case [is] [is not] to be tried to a jury.

3. Joinder of additional parties must be accomplished by \_\_\_\_\_.

4. Amended pleadings may be filed until \_\_\_\_\_.

5. Interrogatories shall be served no later than \_\_\_\_\_, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 [shall] [shall not] apply to this case.

6. First request for production of documents, if any, shall be served no later than \_\_\_\_\_.

7. Non-expert depositions shall be completed by \_\_\_\_\_.

1. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.

2. Depositions shall proceed concurrently.

3. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.

8. Any further interrogatories, including expert interrogatories, shall be served no later than \_\_\_\_\_.

9. Requests to Admit, if any, shall be served no later than \_\_\_\_\_.

10. Expert reports shall be served no later than \_\_\_\_\_.

11. Rebuttal expert reports shall be served no later than \_\_\_\_\_.

12. Expert depositions shall be completed by \_\_\_\_\_.

13. Additional provisions agreed upon by counsel are attached hereto and made a part hereof.

14. **ALL DISCOVERY SHALL BE COMPLETED BY** \_\_\_\_\_.

15. Any motions shall be filed in accordance with the Court's Individual Practices.

16. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).

17. The Magistrate Judge assigned to this case is the Hon. \_\_\_\_\_.

18. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.

19. The next case management conference is scheduled for \_\_\_\_\_, at \_\_\_\_\_. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated: New York, New York

\_\_\_\_\_  
Edgardo Ramos, U.S. District Judge